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January 2, 2022

Clerk of the Supreme Court of Alaska
303 K Street, Fourth Floor
Anchorage AK 99501

Re: Kohlhaas v. State, S-18210.
First Citation of Additional Authority
Appellate Rule 212(12)

Dear Ms. Montgomery,

This letter is to provide additional authority in accord with Appellate Rule 212(12). This authority is relevant to the argument that minor parties are being and cannot be excluded from the political process by Proposition 2, which appears at pages 7 and 8 of the opening brief, and page 1 and footnote 1 of the reply brief.

The cited authorities, and relevant portions, are as follows:

1. Sweezy v. New Hampshire, 354 U.S. 234, 251 (1957)

“All political ideas cannot and should not be channeled into the programs of the two major parties. History has amply proved the virtue of political activity by minority, dissident groups, who innumerable times have been the vanguard of democratic thought and whose program were ultimately accepted ... the absence of such voices would be a symptom of grave illness in our society.”

2. Lubin v. Panish, 415 U.S. 709, 716 (1974)

“It is expected that the voter hopes to find on the ballot a candidate who comes near to reflecting his policy preferences on contemporary issues.”

3. Anderson v. Celebrezze, 469 U.S. 780, 796 (1983)

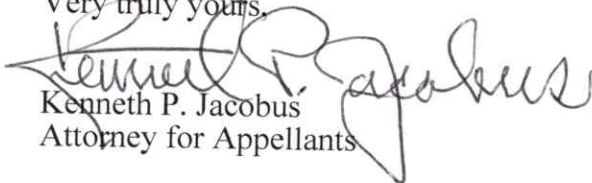
“Historically political figures outside the two major parties have been fertile sources of new ideas and new programs, many of their challenges to the status quo in time made their way into the political mainstream ... The primary values protected by the First Amendment are served when elections campaigns are not monopolized by the existing political parties.”

4. Norman v. Reed, 502 U.S. 279, 288 (1992)

“For more than two decades, this Court has recognized the constitutional right of citizens to create and develop new parties. The right derives from the First and Fourteenth Amendments and advances the constitutional interest of like-minded voters to gather in pursuit of common political ends, thus enlarging the opportunities of all voters to express their own political preferences.”

An original and ten copies of this letter will be filed with this Court as required by Appellate Rule 212(12).

Very truly yours,


Kenneth P. Jacobus
Attorney for Appellants

KPJ:me

cc All involved attorneys by email